

11<sup>th</sup> AF**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Andrea De Ceachis

Type or print name

Andrea De Ceachis

Signature

4/16/08

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

JONATHAN HUGHES

APPLICATION NO: 10/523,230

FILED: JANUARY 31, 2005

FOR: PRODUCTION OF A FERMENTATION  
PRODUCT

Group Art Unit: 1609

Examiner: Sheridan R. Macauley

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Sir:

Applicant(s) hereby appeal(s) to the Board of Appeals from the Office Action dated November 26, 2007 finally rejecting claim(s) 1-10, 13 and 18-20.

- ☒ Please charge Deposit Account No. 03-1935 in the amount of \$510.00 for payment of appeal fee. Two additional copies of this paper are here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 03-1935.

Respectfully submitted,

Ciba Corporation  
Patent Department  
540 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591-9005  
(914) 785-2768

Shiela A. Loggins  
Shiela A. Loggins  
Agent for Applicants  
Reg. No. 56,221



CASE IA/3-22332/PCT

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Andrea DeCecchis  
Type or print name

Andrea DeCecchis  
Signature

4/16/08  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE PCT NATIONAL STAGE APPLICATION OF  
JONATHAN HUGHES  
INTERNATIONAL APPLICATION NO. PCT/EP 03/08295  
FILED: JULY 28, 2003  
FOR: PRODUCTION OF A FERMENTATION  
PRODUCT

Group Art Unit: 1609  
Examiner: Sheridan R. Macauley

U.S. APPLICATION NO: 10/523,230  
35 USC 371 DATE: JANUARY 31, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER**

Sir:

Attached to this letter is a Notice of Appeal. The Notice of Appeal is taken from the Final Rejection mailed on November 26, 2007.

Applicants responded to the Final Rejection on January 22, 2008. This response is present in the case file on the PAIR system. Thus applicants filed within two months of the mailing date of the final action. No advisory action has been received by the applicants. Further, there is no record of mailing of an Advisory Action as of April 16<sup>th</sup>, 2008 in the PAIR system. As the extension fee pursuant to 37 USC 1.136(a) is calculated from the mailing date of the advisory action and none has been mailed, the applicants believe no extension fee to be due.

In the event that the applicants are incorrect and an extension fee is due, the applicants authorize the Commissioner to charge any fee due, or credit any overcharge, to Deposit Account No. 03-1935.

Respectfully submitted,

Ciba Specialty Chemicals Corporation  
540 White Plains Road  
Tarrytown, New York 10591  
(914) 785-2768  
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Shiela A. Loggins  
Agent for Applicants  
Reg. No. 56,221